

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NORTH DAKOTA

In re:) Case No. 24-30422
) (Chapter 11)
JAMIESON CAPEX FUND, LLC)
)
Debtor.)

DECLARATION OF MICHAEL T. SCHMITZ

1. My name is Michael T. Schmitz, I am over the age of eighteen, and I am competent to testify to the matters set forth herein.

2. I am a Certified Public Accountant (CPA) licensed in the State of North Dakota and a Chartered Global Management Accountant (CGMA). I hold a Bachelor of Science degree with a double major in Business Administration and Accounting and an MBA in Accountancy, both from the University of Mary in Bismarck, North Dakota. I have over 30 years of professional experience in financial consulting, tax services, and operational oversight.

3. I am currently a shareholder and partner at Point CPA, formerly Schmitz-Holmstrom CPA, where I lead assurance engagements and provide strategic financial advice. My prior experience includes serving as Senior Trust Officer at BNC National Bank, Director of Finance for a private company, and a managing partner at Widmer Roel PC. I have been involved in all aspects of financial management, including audit, tax, and consulting services.

4. I have a distinguished record of service within the accounting profession, including as a board member and committee chair for the National Association of State Boards of Accountancy (NASBA) and as a past member of the AICPA Auditing Standards Board. I am the former president of the North Dakota State Board of Accountancy and have chaired committees for professional ethics and peer review compliance.

5. I also have significant teaching experience as an adjunct professor at the University of Mary, where I developed and taught courses in finance management, taxation, and accounting.

6. Beyond my professional accomplishments, I am the current Mayor of the City of Bismarck, North Dakota, a position to which I was elected in 2022. My public service also includes leadership roles with numerous non-profits and civic organizations, where I have provided financial oversight and strategic guidance.

7. I maintain an office at 4585 Coleman Street, Suite 101, Bismarck, ND 58503.

8. I am disinterested as that term is defined in 11 U.S.C. §101(14). I (i) am not a creditor, an equity security holder, or an insider of Jamieson CAPEX Fund, LLC (the “Debtor”); (ii) am not and was not, within two years before the date of filing of the petition for relief, a director, officer or employee of the Debtor; and (iii) do not have an interest materially adverse to the interest of the estate or of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtor, or for any other reason. Further, I hold no interest adverse to the interest of the Debtor.

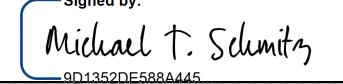
9. For clarity, I have no prior economic relationship with the Debtor, nor have I been previously employed by the Debtor. My work with the Debtor is limited to this proposed engagement as Chief Restructuring Officer (CRO).

10. I have no connection with the Debtor, the Debtor’s creditors, any other party in interest, their respective attorneys or accountants, the United States Trustee, or any person employed in the Office of the United States Trustee.

11. All facts contained in the application to which this declaration is affixed are true and correct to the best of my knowledge.

I, Michael T. Schmitz, pursuant to Section 1746 of Title 29 of the United States Code, do hereby declare, under the penalty of perjury, that I have personal knowledge of the matters set forth herein and the foregoing are true and correct.

Dated: December 5, 2024

Signed by:
By: 
Michael T. Schmitz
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